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RE: Response to Office Action mailed October 11, 2006

Application No: 10/765,354
Confirmation No: 2361
Applicant: Barry Eldeen
Filed: 01/27/2004
TC/A.U.: 3635
Examiner: Dreidame, Hunter M.

Dear Sir or Madam:

Enclosed for filing and consideration please find the following:

1. Response to Office Action. (19 pages total).
2. Self-addressed, stamped return postcard.

Thank you.

Yours truly,

SEVERSON, SHELDON, DOUGHERTY & MOLENDNA, P.A.

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PROVISIONAL ELECTION OF SPECIES WITH TRAVERSE AND AMENDMENT OF CLAIMS

Sir: In response to the Office Action mailed October 11, 2006, please enter the following amendments to claims and provisional election of species with traverse in the above-identified application as follows.

Provisional election of species begins on page one below, with arguments for traverse beginning on page 2.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

The conclusion begins on page 19.

Provisional Election

Pursuant to the election of species requirement of the Patent Examiner, Applicant provisionally elects claims 1, 2, 3, 4, 5, 11, 12, 13, 14 and 15, identified by the Examiner

as Species II: Figures 4, 5, 6, drawn to a deck bracket and method of attaching a deck to a building.

Traverse

The Examiner has stated that the application contains two species, one of which is a deck bracket with a solid bar with a length of two feet six inches to three feet, identified as Species I: Figures 1, 2, and 3, and the other of which is a deck bracket with a solid bar with a length of seven inches, identified as Species II: Figures 4, 5, and 6.

Applicant has amended the claims, making claim 1 the independent claim upon which claims 2 through 10 now depend. Claim 1 now recites the deck bracket without use of floor joists, and is further limited in claim 5 by reciting the length of the solid bar as seven inches, amended from two feet six inches to three feet. Claim 6, which was formerly independent, now depends upon claim 1, reciting as an additional component, a floor joist member. Claim 6 is further limited by claim 10 which recites the length of the solid bar as two feet six inches to three feet.

It is applicant's position that, with the amendments to the claims submitted herewith, claim 1 is an independent claim from which claims 2 through 10 depend, and claim 11 is an independent claim from which claims 12 through 20 depend.